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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,984	07/03/2001	Osamu Mizuno	CU-2581 RJS	3715

7590 07/15/2004
Ladas & Parry
Suite 1200
224 South Michigan Avenue
Chicago, IL 60604

EXAMINER

CHEN, WENPENG

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/15/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,984

Applicant(s)

MIZUNO ET AL.

Examiner

Wenpeng Chen

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 8-11 is/are allowed.
- 6) ☒ Claim(s) 3-7 and 12 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Claim Objections

1. Claims 2 is objected to because of the following informalities:
 - The Examiner recommends inserting - , respectively - after "the object shape" in line 4,
- Claim 2. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 3-7 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for the following reasons.
 - a. There are insufficient antecedent bases for the following limitations.
 - Claim 3 recites the limitation "said dividing portion generation unit" in line 2.
 - b. Claim 12 recites "said step of dividing" in line 6. However, there are two antecedent recitations: one in line 7, Claim 10 and the other in line 3, Claim 12. Therefore it is indefinite.

Allowable Subject Matter

4. (a) Claims 1 and 8-11 are allowed. (b) Claim 2 would be allowable if rewritten to overcome the objection set forth in this Office. (c) Claims 3-7 and 12 would be allowable if

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rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to teach the apparatuses of Claims 1 and 9 and the method of Claim 10, all for coding a binary image representing an object shape, which specifically comprise the following features in combination with other recited limitations:

-- *deciding/detecting* which one of binary zero and binary one is *an inferior symbol that is of smaller occurrence* as recited;

-- dividing a block of the binary image into divided portions as recited;

-- *encoding only the divided portions that have the inferior symbol* included therein.

The relevant prior art are listed in form PTO-892. Some of them teach the feature of dividing a block of the binary image into divided portions. But none of them teach the combination of (i) deciding/detecting an inferior symbol that is of smaller occurrence and (ii) encoding only the divided portions that have the inferior symbol.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wenpeng Chen whose telephone number is 703 306-2796. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on 703 308-7452. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications. TC 2600's customer service number is 703-306-0377.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.

Wenpeng Chen
Primary Examiner
Art Unit 2624

July 9, 2004

